

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q95455

Takashi YAMASHITA, et al.

Appln. No.: 10/585,693

Group Art Unit: 1633

Confirmation No.: 4348

Examiner: Fereydoun Ghotb SAJJADI

Filed: November 9, 2006

For: TRANSGENIC BIRD AND METHOD OF CONSTRUCTING THE SAME

**RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This responds to the Restriction and Election of Species Requirement, dated November 28, 2007. In response to the Restriction Requirement, Applicants elect Group I, Claims 1-6 and 24-27 for examination.

This responds to the Election of Species Requirement, dated November 28, 2007. The Examiner has identified the application as containing claims directed to more than one distinct species. The Examiner has required Applicants to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted. The Examiner believes Claims 1-30 are generic. Applicants have been advised that a response to this requirement shall include an identification of the species that is elected and a listing of all claims readable thereon.

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS

Attorney Docket No.: Q95455

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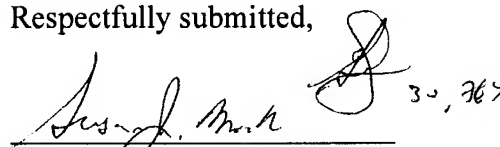
In response to the Examiner's requirement, Applicant elects chicken as a single species of bird for examination on which Claims 1-6 and 24-27 are readable.

Applicant submits that if any of the elected claims is found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

Applicant reserves the right to file a Divisional Application directed to non-elected claims 7-23 and 28-30.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Susan J. Mack", is written over a horizontal line. To the right of the signature is a circled "X" followed by the number "30,951".

Susan J. Mack  
Registration No. 30,951

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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: December 28, 2007